

REMARKS

Claims 1 – 5 are pending in the instant patent application.

Independent claims 1 and 5 have been amended to correct grammatical mistakes.

Claims 1 – 5 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,442,533 issued to Hinkle. The Office Action refers to col. 19, lines 6 – 55 as disclosing a first computer (52) having an interface for capturing executed trade data (or trade tickets), and col. 20, line 9 – col. 21, line 3 as disclosing a communication channel for communicating the captured trade data (or trade tickets) between the first and second computers. The Office Action further appears to equate the subtransaction processing module (64) with the second computer.

Applicants submit that Hinkle does not disclose each and every element of the claimed invention and respectfully request the withdrawal of the rejection for the following reasons.

First, the citation to col. 20, line 9 – col. 21, line 3 does not disclose a communication channel for communicating the captured trade data or trade tickets between the first and second computers. Instead, the cited portion of Hinkle describes the processing performed by the Master Transaction Clustering Processing (MTCP) and the databases used by the MTCP. The cited passage, however, does not describe a communication channel for communicating the captured trade data between the first and second computers.

Furthermore, assuming *arguendo*, that the transaction processing controller (52) of Hinkle corresponds to the first computer and the subtransaction processing module (64) corresponds to the second computer, Fig. 2A of Hinkle clearly shows that there is no trade data or ticket flow between the transaction processing controller (52) and the subtransaction processing module (64) (see col. 7, line 19 – col. 8, line 5).

Finally, the citation to col. 19, lines 7 – 55 of Hinkle does not disclose a first computer having an interface for capturing executed trade data or transmitting trade tickets as required in Applicants' claimed invention. Instead, the citation merely describes the circumstances leading to the invention of the MTCP.


Applicants respectfully submit that the rejection of claims 1 – 5 under 35 U.S.C. § 102(e) by Hinkle has been overcome because Hinkle does not disclose or teach each and every element of the claimed invention. Applicants respectfully request that the rejection be withdrawn.

Applicants request entry of the foregoing amendments and remarks into the file history of the above-identified application. Applicants believe that each ground for rejection has been successfully overcome and/or obviated, and that all pending claims are in condition for allowance. Withdrawal of the rejections and allowance of the application are respectfully requested.

No fee is believed to be due in connection with filing of the instant request. However, if a fee is due, please charge the required fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310.

Respectfully submitted,

Date: July 22, 2004



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